



IN THE HIGH COURT OF JUSTICE

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
ON APPEAL FROM THE INSOLVENCY AND COMPANIES LIST (ChD)

CH-2017-000278
CH-2017-000279
CH-2017-000278

IN THE MATTER OF DANIEL MAURICE WAGNER
AND IN THE MATTER OF THE INSOLVENCY ACT 1986

MR JUSTICE NUGEE
31st OCTOBER 2018

B E T W E E N:

DANIEL MAURICE WAGNER

Appellant/Applicant

- and -

BENJAMIN VINCENT ST JOHN WHITE

Respondent

A N D B E T W E E N:

DANIEL MAURICE WAGNER

Appellant/Applicant

- and -

STUART GRANT RODEN

Respondent

ORDER

UPON THE ORDER of Deputy Registrar Garwood dated 15 November 2017 ("**Order**") dismissing (1) the application of the Appellant ("**Mr Wagner**") to set aside a statutory demand made upon him by Benjamin Vincent St John White ("**Mr White**") by application notice number BR-2016-000728 ("**White Application**"); and (2) dismissing the application of Mr Wagner to set aside a statutory demand made upon him by Stuart Grant Roden ("**Mr Roden**") by application notice number BR-2016-001346 ("**Roden Application**")

AND UPON THE APPLICATIONS of Mr Wagner both dated 1 December 2017 to appeal the Order in respect of the White Application by Appellant's Notice number CH-2017-000278 ("**White Appeal**") and the Roden Application by Appellant's Notice number CH-2017-000279 ("**Roden Appeal**")

AND UPON HEARING Richard Millett of Leading Counsel and Stewart Chirnside of Counsel for Mr Wagner and Joseph Curl and Andrew Keay of Counsel for Mr White on 10 and 11 October 2018 in the White Appeal and John Briggs of Counsel on 10 October 2018 in the Roden Appeal and judgment in the White Appeal and the Roden Appeal being reserved



IT IS ORDERED that:

1. The White Appeal and the Roden Appeal each be dismissed.
2. Mr Wagner shall pay Mr White the costs of the White Appeal on the standard basis to be the subject of detailed assessment, if not agreed.
3. Mr Wagner shall pay Mr White the sum of £63,600 on account of the costs ordered at paragraph 2 above.
4. Mr Wagner shall pay Mr Roden the costs of the Roden Appeal on the standard basis to be the subject of detailed assessment, if not agreed.
5. Mr Wagner shall pay Mr Roden the sum of £13,989 on account of the costs ordered at paragraph 4 above.
6. Mr Wagner shall comply with paragraphs 3 and 5 above and paragraphs 4 and 6 of the Order by 4pm on 11 December 2018.
7. This order shall be served by Mr Wagner on Mr White and Mr Roden.

Service of the order

The court has provided a sealed copy of this order to the serving party:

DaySparkes Limited, Ground Floor (West), 9 Gray's Inn Square, London, WC1R 5JQ

DATE: